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**SENATE BILL 5346**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Ranker, Mullet, Darneille, Liias, Conway, McAuliffe, Keiser, and Chase

AN ACT Relating to providing first responders with contact information for subscribers of life alert services during an emergency; adding a new section to chapter 70.54 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 70.54 RCW to read as follows:

(1) When requested by first responders during an emergency, employees of companies providing life alert services must provide to first responders the name, address, and any other information necessary for first responders to contact their subscribers.

(2) Information received by a first responder under subsection (1) of this section is confidential and may be used only in responding to the emergency that prompted the information request. Any first responder receiving the information must destroy it at the end of the emergency. A failure to destroy the information is a class 1 civil infraction under RCW 7.80.120.

(3) It is not a violation of this section if a life alert services company or an employee makes a good faith effort to comply with this section. In addition, the company or employee is immune from civil liability for a good faith effort to comply with this section. Should a company or employee prevail upon the defense provided in this section, the company or employee is entitled to recover expenses and reasonable attorneys' fees incurred in establishing the defense.

(4) First responders and their employing jurisdictions are not liable for failing to request the information in subsection (1) of this section. In addition, this act does not create a private right of action nor does it create any civil liability on the part of the state or any of its subdivisions, including first responders.

(5) For the purposes of this section:

(a) "Emergency" means a combination of circumstances that requires the attention of first responders acting within the scope of their official duties. An emergency includes circumstances that render the life alert services system inoperable.

(b) "First responder" means firefighters, law enforcement officers, and emergency medical personnel, as licensed or certificated by this state.

(c) "Life alert services" means a service provided for profit that allows persons in need of emergency assistance to contact a call center through a device that can be activated by breath, touch, or other means.

(6) A violation of this section is a class 1 civil infraction under RCW 7.80.120.

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